

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROBERT S. GARNER a/k/a SCOTT
GARNER, *individually and on behalf of all
others similarly situated*,

Plaintiff,

v.

AXIP ENERGY SERVICES, LP,

Defendant.

Case No. 4:24-CV-03300

**PLAINTIFF’S UNOPPOSED MOTION TO
EXTEND DEADLINE FOR FILING A
RESPONSE TO DEFENDANT’S MOTION
TO DISMISS**

Plaintiff Robert Garner a/k/a Scott Garner (“Plaintiff”), individually and on behalf of all others similarly situated (the “Class” or “Class Members”), moves this Court for an unopposed Motion to extend his time to respond to Defendant’s Motion to Dismiss. Plaintiff respectfully requests the Court extend the time to file a responsive memorandum of law for 21 days, to December 10, 2024.

The parties have met and conferred, and Defendant Axip Energy Services, LP has stated that it does not oppose this Motion. The parties intend to use this time to explore a resolution of the matter, thereby conserving party and judicial resources. This stay is not sought for purposes of delay, but so that justice may be done. This is Plaintiff’s first request for an extension.

Dated: November 15, 2024

Respectfully submitted,

s/ Philip J. Krzeski

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**Admitted Pro Hac Vice*